

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action: 5:20-cv-0424-KS**

DARRYL SCOTT HOWE,)	
)	
PLAINTIFF,)	
)	
v.)	CONSENT ORDER
)	
KILOLO KIJAKAZI,)	
Commissioner of)	<i>Filed Electronically</i>
Social Security,)	
)	
DEFENDANT.)	

This action being submitted to the Court for entry of a Consent Order agreed to by the Parties and it appearing that Plaintiff, by and through his attorney, has executed this Consent Order and Defendant has executed this Consent Order, by and through the undersigned Special Assistant United States Attorney; and it appearing that the Parties have agreed that Plaintiff, Darryl Scott Howe, is awarded attorney fees under the EAJA in the amount of Five Thousand Four Hundred Twenty Dollars and 00/100 and Four Hundred Dollars in filing fees in full and final settlement of attorney fees and costs arising under the Equal Access to Justice Act (EAJA). 28 U.S.C. § 2412(d). In accordance with Plaintiff's corresponding Consent Motion, full or partial remittance of the awarded attorney fees will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government. If such a debt(s) exists, the Government will reduce the awarded attorney fees in this Order to the extent necessary to satisfy such debt(s).

It is therefore **ORDERED** that, pursuant to the above, the Commissioner pay the sum of Five Thousand Four Hundred Twenty Dollars and 00/100 and that the Treasury Judgment Fund pay Plaintiff's counsel the sum of \$400.00 in full satisfaction of any and all claims arising under EAJA, 28 U.S.C. § 2412.

This 26th day of October 2021.



KIMBERLY A. SWANK

United States Magistrate Judge

CONSENTED TO:

October 25, 2021

s/ Karl E. Osterhout

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October 25, 2021

s/ Cassia W. Parson*

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(*Permission to use electronic signature received
via email on October 25, 2021).